

REDRAFTS OF LEGISLATIVE PROVISIONS

Pursuant to discussions with Mr. Roger Jones of the Bureau of the Budget and Mr. Ray Whearty of Justice.

Section 6. (Mr. Jones noted that some objection in the Bureau is due to the fact that the take-home pay of a general would be more than that of a civilian. If prestige is desideratum, then the following is proposed.) Any such commissioned officer while serving in the office of Director shall hold the rank of general or equivalent grade, but shall, while so serving, receive the pay provided for a civilian Director and will receive no military pay and allowances. Any such commissioned officer, after having served four years as Director, shall be entitled at his own request and if otherwise qualified to retirement with the retired pay and allowances authorized by law for the grade of general or equivalent grade.

Section 7. Mr. Jones thought we should eliminate the requirement for advice and consent of the Senate, but I understand this is between Mr. Staats and the Director.

Section 7h. Both Mr. Jones and Mr. Whearty thought that if acceptable at all, the intent would have to be more clearly defined and the rights limited. Consequently, the following wording is proposed and is now under study in Justice.

- (1) The Director of Central Intelligence is authorized to

appoint the General Counsel who shall have the right to appear and be heard and if appropriate to intervene in any Court proceeding affecting the security of Central Intelligence Agency operations or any matter affecting the responsibility of the Director of Central Intelligence for protection of intelligence sources and methods; provided, that this right shall not operate to give the General Counsel or the Central Intelligence Agency any police, subpoena or law enforcement powers or internal security functions; and provided further, that the General Counsel may not appear as of right without prior approval by the Attorney General. (Portion in bracket may be required by Justice and if so will be acceptable.)

(2) In addition, the Director may authorize the procurement of and pay for legal services whenever the security of Central Intelligence Agency requires such services or to enable an officer or employee of the service to carry on his work.